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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/507,318

09/10/2004

Sven Bjorkgard

03438.0109

9062

22852 7590 06/13/2006

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EXAMINER

SY, MARIANO ONG

ART UNIT

PAPER NUMBER

3683

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/507,318

Applicant(s)

BJORKGARD, SVEN

Examiner

Mariano Sy

Art Unit

3683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/7/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

2. The disclosure is objected to because of the following informalities:

Abstract, line 3 "round" should be --around--,

Claim 1, line 5 "round" should be --around--,

Claim 1, line 20 "centring" should be --centering--,

Claim 5, line 3 "parts" should be --part--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims ~~1-4~~⁵ are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "especially a wheel axle housing (14) and a chassis (10)" in lines 1-2. It is indefinite and unclear if the elements are included or precluded.

Claim 1 recites the limitation "an axially extending outer surface (64)" in line 6. It is unclear if Applicant is referring to --a radially extending outer surface (64)--.

Claim 1 recites the limitation "two substantially radially extending end surfaces (68, 70)" in lines 6-7. It is unclear if Applicant is referring to --two substantially axially extending end surfaces (68, 70)--.

Claim 2 recites the limitation "an adjacent end surface (68, 70)" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Konig (US 6,305,699).

Re-claim 1 Konig disclosed, as shown in fig. 2, a coupling for resilient interconnection of two objects, comprising an internal coupling device comprising a supporting piece 31 which extends in an axial direction and has an axial supporting piece portion (spherical center portion), a rubber-elastic element 33 which is arranged around the supporting piece portion and has an radially extending outer surface and two substantially axially extending end surfaces, and an external coupling device 11, 12 comprising two approximately cup-shaped abutment member 13, 14 with a tubular wall

Art Unit: 3683

portion and a bottom portion defining an inner portion of the abutment member, wherein each wall portion has an inner surface arranged to extend along and radially outside respective end portions of the outer surface of the rubber-elastic element, the end of wall portion facing away from the bottom has an end surface and an inside of each bottom portion facing the inner portion of the abutment member are each arranged to abut against an end surface of the rubber-elastic element for axial compression while the abutment members are pushed towards each other, characterized in that between the wall portions and the rubber-elastic element, an axially extending sleeve 32 is mounted; wherein the rubber-elastic element is securely connected to the supporting piece; and wherein the sleeve is securely connected to the rubber-elastic element over the whole or part of its length.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Konig in view of Sprang et al.

Re-claims 2 and 3 Konig failed to disclose wherein between each bottom portion and end surface of the rubber-elastic element an annular disc is securely mounted to the rubber-elastic element.

Art Unit: 3683

Sprang et al. teaches, as shown in fig. 1-5, the use of annular disc 4, 5 in a coupling.

It would have been obvious to one of ordinary skill in the art to modify the coupling of Konig with the known annular disc, as taught by Sprang et al., in order to securely fix the rubber-elastic element against the supporting piece portion.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

W.L. Pringle (US 2,607,617)

J. Stickel (US 3,165,065)

Brenner et al. (US 4,671,694)

Buhl (US 4,883,263)

Buhl et al. (US 6,511,084)

Hisi (US 6,719,476)

Buhl et al. (US 6,959,935)


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariano Sy whose telephone number is 571-272-7126. The examiner can normally be reached on Mon.-Fri. from 8:30 A.M. to 2:30 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan, can be reached on 571-272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 M. Sy

June 2, 2006


DEVON C. KRAMER
PATENT EXAMINER